



PATENT  
Docket No.: 36287-00600

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : COMAS et al.  
Serial No. : 09/894,476 Group Art Unit : 2161  
Filed : June 28, 2001 Examiner : TBA  
For : **SYSTEM AND METHOD FOR CHARACTERIZING AND  
SELECTING TECHNOLOGY TRANSITION OPTIONS**

INFORMATION DISCLOSURE STATEMENT

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ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

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Technology Center 2100

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior ☐ Continuation, ☐ Divisional or ☐ Continuation-In-Part application under 37 C.F.R. §1.60, U.S. Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.

☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.

5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.

6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):

☐ A check in the amount of \$240.00 is enclosed in payment of the fee.

☐ Charge the fee to Deposit Account No. 13-4500. Order No. 36287-00600. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:

a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and

b. the attached petition requesting consideration of this Information Disclosure Statement; and

c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

a. ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw

Application From Issue;

b. ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.

c. The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.

9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).

☐ Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 13-3250. Order No. 36287-00600. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

☒ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-3250. Order No. 36287-00600. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

December 14, 2001

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Respectfully submitted,  
MILBANK, TWEED, HADLEY & MCCLOY LLP



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2161

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**CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))**

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ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

I hereby certify that the attached:

1. Form 1449;
2. Copies of Cited References;
3. Information Disclosure Submission (in duplicate); and
4. Return Receipt Postcard

along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the: Assistant Commissioner For Patents, Washington, D.C. 20231.

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Technology Center 2100

Respectfully submitted,  
Milbank Tweed Hadley & McCloy LLP

Chris L. Holm

14, 2001

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <b>INFORMATION DISCLOSURE CITATION</b>  (Use several sheets if necessary)	ATTY. DOCKET NO. <b>36287-00600</b>	SERIAL NO. <b>09/894,476</b>
	APPLICANT <b>COMAS et al.</b>	
	FILING DATE <b>June 28, 2001</b>	GROUP ART UNIT <b>2161</b>

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,692,233	11/1997	Garman			
	5,802,499	09/1998	Sampson et al.			
	5,812,988	09/1998	Sandretto			
	5,819,237	10/1998	Garman			
	5,819,238	10/1998	Fernholz			
	5,852,811	12/1998	Atkins			
	5,884,286	03/1999	Daughtery, III			
	5,893,078	04/1999	Paulson			
	5,913,202	06/1999	Motoyama			
	5,940,810	08/1999	Traub et al.			
	5,970,479	10/1999	Shepherd			
	6,012,042	01/2000	Black et al.			
	6,016,483	01/2000	Rickard et al.			
	6,018,722	01/2000	Ray et al.			
	6,021,397	02/2000	Jones et al.			
	6,078,903	06/2000	Kealhofer			
	6,078,904	06/2000	Rebane			
	6,088,685	07/2000	Kiron et al.			

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.